

TENTATIVE RULINGS for CIVIL LAW and MOTION

June 18, 2010

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Fifteen: (530) 406-6941

TENTATIVE RULING

Case: **Davidge v. Total Entertainment Group, USA, Inc., et al.**
Case No. CV PM 07-780

Hearing Date: **June 18, 2010** **Department Fifteen** **9:00 a.m.**

Total Entertainment Group USA Inc. (“TEG”), Darren Stewart and Duane Tabinski’s motion to compel the plaintiffs to attend depositions: Counsel are **DIRECTED TO APPEAR** to address whether the plaintiffs appeared for their June 15, 2010, depositions.

TEG, Darren Stewart and Duane Tabinski’s motion to continue the trial and associated dates and to keep discovery open: The motion to continue the trial and associated dates is **GRANTED**. (Cal. Rules of Court, rule 3.1332.) The current trial, trial readiness conference and mandatory settlement conference dates are **VACATED**. A further case management conference is set for Thursday, July 8, 2010, at 1:30 p.m. in Department Ten so that new dates may be set.

The motion to keep discovery open is **GRANTED** as to discovery from TEG, Stewart and/or Tabinski to the plaintiffs only. It has not been shown how Chris Hibblings’ testimony is relevant to the issues in this case nor have the moving parties shown the reason for the delay in obtaining Mr. Hibblings’ testimony prior to the discovery cut-off. The Court notes, however, that Haljoe Custom Coach Ltd., the only party that filed an opposition brief, states that it does not oppose having Mr. Hibblings’ deposition take place after the discovery cut-off.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: **Eweis v. Napoli Bern Ripka and Associates, LLP**
Case No. CV CV 09-204

Hearing Date: **June 18, 2010** **Department Fifteen** **9:00 a.m.**

James F. Sweeney and Sweeney & Greene, LLP's unopposed motion to be relieved as counsel for the defendant is **GRANTED**. (Code Civ. Proc., §§ 284 and 1101, subd. (b); Cal. Rules of Court, rules 3.1362 and 3.252.) This order is not effective until Mr. Sweeney files a proof of service with the Court showing service of a copy of the signed order on his clients. (Cal. Rules of Court, rule 3.1362(e).)

TENTATIVE RULING

Case: **Northern California Collections Service v. Steve's Place, Inc. et al.**
Case No. CV CV 09-1811

Hearing Date: **June 18, 2010** **Department Fifteen** **9:00 a.m.**

Aristides G. Tzikas' unopposed motion to be relieved as counsel for the defendants is **GRANTED**. (Code Civ. Proc., §§ 284 and 1101, subd. (b); Cal. Rules of Court, rules 3.1362 and 3.252.) This order is not effective until Mr. Tzikas files a proof of service with the Court showing service of a copy of the signed order on his clients. (Cal. Rules of Court, rule 3.1362(e).)

TENTATIVE RULING

Case: **People v. Sheaman**
Case No. CV PT 10-1231

Hearing Date: **June 18, 2010** **Department Fifteen** **9:00 a.m.**

The People are directed to appear to advise the Court of any related, pending criminal action and whether they will file a petition for forfeiture. A judgment of forfeiture against Bethanne Sheaman requires, as a condition precedent thereto, that a defendant be convicted in an underlying or related criminal action of an offense specified in section 11470, subdivision (f) which offense occurred within five years of the seizure of the property subject to forfeiture or within five years of the notice of intent to seek forfeiture. (Health and Safety Code, § 11488.4, subd. (i)(3).)

TENTATIVE RULING

Case: **Wong v. K. Hovananian Forecast Homes, Inc. and**
Related cross-actions
Case No. CV CV 09-434

Hearing Date: **June 18, 2010** **Department Fifteen** **9:00 a.m.**

Cross-defendant Sacramento A-1 Door's unopposed motion for determination of good faith settlement is **GRANTED**. (Code Civ. Proc., § 877.6.)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: **In re Adan Rodriguez**
 Case No. CV P2 10-82

Hearing Date: **June 18, 2010** **Department Fifteen** **9:00 a.m.**

The petitioner and the minor are directed to appear or to show good cause why the petitioner and the minor should not be required to appear. (Cal. Rules of Court, rule 7.952.) If the petitioner and the minor choose to show good cause, they should do so by filing of a declaration before the hearing setting the forth the facts supporting good cause. If the parties fail to appear at the hearing and the court has not excused their personal appearance, the petition will be denied without prejudice. No request for a hearing is required.